

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	3:22-cr-00054-LRH-CLB
)	
vs.)	MINUTES OF COURT
)	
GELASIO JOHNSON GUERRERO,)	September 20, 2023
)	
Defendant.)	
	/	

PROCEEDINGS: Jury Trial (Day Two)

PRESENT:

THE HONORABLE LARRY R. HICKS, UNITED STATES DISTRICT JUDGE

Deputy Clerk: Paris Rich Reporter: Donna Prather

Counsel for Plaintiff: Andrew Keenan, AUSA and Penelope Brady, AUSA

Counsel for Defendant: Allie Wilson, AFD and Chris Frey, AFD

At 9:11 a.m., the Court convenes.

The Defendant (in custody with leg restraints and street clothing) is present with counsel. Christian Filipiak, APFD Investigator, is also present at counsel table.

The Government's counsel are present with Erik Anderson, Agent, Federal Bureau of Investigation.

MICHAEL HUGHES, Special Agent, Federal Bureau of Investigation, called on behalf of the Government, is sworn, examined on direct by Ms. Brady, cross-examined by Ms. Wilson, and excused.

IT IS ORDERED that the Government's Exhibits 12a through 12q are received into evidence.

IT IS FURTHER ORDERED that the Government's Exhibits 5, 8, 10, 11, 16, 17, 13, 14, 15, 9, and 6 are received into evidence.

The Court confirms the Government shall retain custody of the Government's Exhibits 5, 8, 10, 11, 16, 17, 13, 14, 15, 9, and 6.

BRYAN ALMARAZ, Police Officer, Walker River Tribal Police Department, called on behalf of the Government, is sworn, examined on direct by Mr. Keenan (the Government's Exhibit 4 is broadcast), cross-examined by Ms. Wilson, and released subject to recall.

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The Court admonishes the jury. The jury is excused for a brief recess.

At 10:31 a.m., the Court stands at recess.

At 10:55 a.m., the Court reconvenes outside the presence of the jury. All parties are present.

The Court addresses the Government's Ex Parte Motion (ECF No. 87) filed on September 19, 2023. The Court recites findings. **IT IS ORDERED that the Government's Ex Parte Motion (ECF No. 87) is DENIED.** Ms. Brady recites disclosure to the defense and provides a copy of ECF No. 87. Mr. Keenan recites objection for the record based on relevance.

At 11:01 a.m., the jury enters the courtroom. All jurors are present.

BRYAN ALMARAZ, resumes the witness stand, is further cross-examined by Ms. Wilson (the Government's Exhibit 4 is broadcast), examined on redirect by Mr. Keenan, recross-examined by Ms. Wilson, and excused.

IT IS ORDERED that the Defendant's Exhibit 524 is received into evidence.

12:00 p.m., a sidebar is conducted. Sidebar concludes at 12:04 p.m.

JASON LASRY, M.D., called on behalf of the Government, is sworn, examined on direct by Mr. Keenan, cross-examined by Mr. Frey, and excused.

SHANNON PRINCE, Physical Scientist/Forensic Examiner in the Latent Print Operations Unit, Federal Bureau of Investigation's laboratory, called on behalf of the Government, is sworn, examined on direct by Ms. Brady, cross-examined by Mr. Frey, and excused.

At 12:20 p.m., the jury is admonished and excused for the lunch recess.

The Court stands at recess.

At 1:02 p.m., the Court reconvenes. All parties are present.

The jury enters the courtroom. All jurors are present.

JESSICA VAN DYKE, Biologist-Forensic Examiner, Federal Bureau of Investigation's laboratory, called on behalf of the Government, is sworn, examined on direct by Ms. Brady, cross-examined by Ms. Wilson, examined on redirect by Ms. Brady, recross-examined by Ms. Wilson, further examined on redirect by Ms. Brady, and excused.

IT IS ORDERED that the Government's Exhibits 21a and 21b are received into evidence.

At 1:27 p.m., a sidebar is conducted. Sidebar concludes at 1:32 p.m.

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Ms. Brady reads the parties' stipulations with respect to the Government's Exhibits 1a, 2a, 3, and 20 into the record.

IT IS ORDERED that the Government's Exhibits 1 and 2 are received into evidence.

JOSHUA ALLEN GONZALES, called on behalf of the Government, is sworn, examined on direct by Mr. Keenan, cross-examined by Mr. Frey, examined on redirect by Mr. Keenan, and excused.

IT IS ORDERED that the Government's Exhibit 18 is received into evidence, subject to the Court's rulings at sidebar this date conducted at 1:27 p.m. to 1:32 p.m.

MICHELLE CASTILLO, called on behalf of the Government, is sworn, examined on direct by Mr. Keenan, cross-examined by Ms. Wilson, and excused.

The Government rests.

At 2:54 p.m., the jury is admonished and excused until Thursday, September 21, 2023 at 9:00 a.m.

Outside the presence of the jury, Ms. Wilson recites Rule 29 motion. Mr. Keenan recites response. The Court presents statements and advises it will provide counsel with a ruling on the Rule 29 motion in the morning.

IT IS ORDERED that Jury Trial (Day Three) is set for Thursday, September 21, 2023 at 8:45 a.m. in Reno Courtroom 3 before Judge Larry R. Hicks. IT IS SO ORDERED.

The Defendant is remanded to custody.

At 3:00 p.m., the Court adjourns.

DEBRA K. KEMPI, CLERK

By: /s/ Paris Rich
Deputy Clerk